

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Newport News Division

UNITED STATES OF AMERICA

v.

CHRISTOPHER SCOTT JONES,

Defendant.

CRIMINAL ACTION NO.
4:23cr32

TRANSCRIPT OF PROCEEDINGS
(**Sentencing Hearing**)

Norfolk, Virginia

September 19, 2023

BEFORE: THE HONORABLE JAMAR K. WALKER
United States District Judge

APPEARANCES:

UNITED STATES ATTORNEY'S OFFICE

By: Peter G. Osyf
Assistant United States Attorney
Counsel for the United States

FEDERAL PUBLIC DEFENDER'S OFFICE

By: Kirsten R. Kmet
Assistant Federal Public Defender
Counsel for the Defendant

1 (Proceedings commenced at 12:13 p.m.)

2 THE CLERK: United States of America vs. Christopher
3 Scott Jones in Criminal Action 4:23cr32.

4 Mr. Osyf, is the government ready to proceed?

5 MR. OSYF: The United States is ready. Thank you
6 and good afternoon, Your Honor.

7 THE COURT: Good afternoon.

8 THE CLERK: Ms. Kmet, is the defendant ready to
9 proceed?

10 MS. KMET: Good afternoon, Your Honor. Yes, we're
11 prepared to go forward, sir.

12 THE COURT: Good afternoon.

13 We are here today for the sentencing of the
14 defendant, Christopher Scott Jones, who has entered a plea of
15 guilty to Count One of the Indictment charging him with
16 coercion and enticement of a child, in violation of Title 18,
17 United States Code, Section 2422(b) and Count Seven of the
18 indictment charging him with receipt of child pornography in
19 violation of Title 18, United States Code, Section
20 2252A(a)(2).

21 The maximum penalties for Count One are a mandatory
22 minimum term of imprisonment of 10 years, a maximum term of
23 life imprisonment, a fine of \$250,000, a term of supervised
24 release of not less than five years but up to life,
25 restitution for the full amount of victims' losses,

1 forfeiture of assets, a \$100 special assessment pursuant to
2 18 U.S.C. Section 3013, and a \$5,000 special assessment
3 pursuant to 18 U.S.C. Section 3014(a).

4 The maximum penalties for Count Seven are a
5 mandatory minimum term of imprisonment of five years, a
6 maximum term of imprisonment of 20 years, a term of
7 supervised release of not less than five years but up to
8 life, restitution and forfeiture, a \$100 special assessment,
9 a \$5,000 special assessment, and a \$35,000 special assessment
10 pursuant to 18 U.S.C. Section 2259A(a)(2).

11 Mr. Jones, have you had an adequate opportunity to
12 consult with Ms. Kmet to prepare for the hearing today?

13 THE DEFENDANT: Yes, Your Honor, I have.

14 THE COURT: Are you satisfied with the advice and
15 counsel that you've received in this case?

16 THE DEFENDANT: Yes, Your Honor.

17 THE COURT: As you know, today is the day the Court
18 is going to impose a sentence in your case, but first I'm
19 going to explain to you how we're going to proceed.

20 First I'll talk with the lawyers about what the
21 appropriate Sentencing Guidelines that apply to your case
22 are. As you know, the Court is required to calculate those
23 guidelines; however, once the guidelines are calculated, the
24 Court is not required to impose a sentence within the
25 advisory guidelines range.

1 After we calculate the range, I'll want to hear from
2 the lawyers about what they believe is the appropriate
3 sentence and why. Ms. Kmet has provided the Court with
4 extensive written materials, but she will make some remarks
5 today after the government has made its remarks.

6 After Ms. Kmet finishes, I'll turn to you. If
7 there's anything you want to tell me about yourself, about
8 the case, about anything, I'm going to give you that
9 opportunity, but it's important for you to know that you
10 don't have to speak and I will not hold it against you if you
11 do not.

12 I just wanted you to know that if you wish to tell
13 the Court anything, you will have your opportunity after
14 Ms. Kmet finishes. Do you understand that?

15 THE DEFENDANT: Yes, Your Honor, I do.

16 THE COURT: Do you have any questions about how the
17 Court is going to proceed today?

18 THE DEFENDANT: No, Your Honor.

19 THE COURT: All right. You may be seated.

20 THE DEFENDANT: Thank you.

21 THE COURT: Counsel, the Court has had an
22 opportunity to read your position papers, the Presentence
23 Report, as well as the letter the Court received in support
24 of the defendant, and the victim impact statement that has
25 been submitted.

1 The Court has carefully reviewed the Presentence
2 Report in this case, which was filed on August 30, 2023. The
3 addendum indicates that there are no unresolved objections to
4 the report. I know there was some back and forth on that,
5 but I just want to confirm that there are, in fact, no
6 objections to the report. Is that correct, counsel?

7 MS. KMET: That is correct, Your Honor.

8 MR. OSYF: That's correct, Your Honor.

9 THE COURT: Thank you.

10 Ms. Kmet, have you had sufficient opportunity to
11 review the Presentence Report with Mr. Jones prior to coming
12 to court today?

13 MS. KMET: Yes, Your Honor, I have.

14 THE COURT: Have you read and reviewed the
15 mandatory, standard, and special conditions of supervised
16 release that are included in the Presentence Report?

17 MS. KMET: Yes, Your Honor, I have.

18 THE COURT: Have you gone over all those conditions
19 with Mr. Jones?

20 MS. KMET: Yes, Your Honor, I have.

21 THE COURT: Do you have any objections to the
22 conditions that are outlined in the Presentence Report?

23 MS. KMET: No, Your Honor, I do not.

24 THE COURT: Mr. Jones, if you could please stand.

25 THE DEFENDANT: Yes, sir.

1 THE COURT: Did you have an opportunity to review
2 the Presentence Report with Ms. Kmet before coming to court
3 today?

4 THE DEFENDANT: Yes, Your Honor, I did.

5 THE COURT: Did you have enough time to review the
6 report?

7 THE DEFENDANT: Yes, Your Honor, I did.

8 THE COURT: Are there any errors in the report?

9 THE DEFENDANT: No, Your Honor.

10 THE COURT: Does the Presentence Report fully cover
11 your background?

12 THE DEFENDANT: Yes, Your Honor, it does.

13 THE COURT: Have you read and reviewed the
14 mandatory, standard, and special conditions of supervised
15 release that are included at the end of the Presentence
16 Report?

17 THE DEFENDANT: Yes, Your Honor, I have.

18 THE COURT: Do you understand that supervised
19 release would begin once you got out of prison and that,
20 while you are on supervised release, you have to abide by
21 certain conditions; should you violate those conditions, you
22 could subject yourself to an additional period of
23 incarceration or additional terms of supervision; do you
24 understand that?

25 THE DEFENDANT: Yes, Your Honor, I understand.

1 THE COURT: To the extent you had any questions
2 about the conditions, did you have those answered by
3 Ms. Kmet?

4 THE DEFENDANT: Yes, Your Honor, I did.

5 THE COURT: Do you need any more time to review
6 anything in the report before we proceed today?

7 THE DEFENDANT: No, Your Honor, I do not.

8 THE COURT: Thank you. You may be seated.

9 Mr. Osyf, are there any additional corrections or
10 objections to the information contained in the Presentence
11 Report?

12 MR. OSYF: No, Your Honor.

13 THE COURT: The government has moved for a one-point
14 reduction for acceptance of responsibility; is that correct?

15 MR. OSYF: Yes, Your Honor.

16 THE COURT: That motion will be granted.

17 Have the guidelines in this case been properly
18 calculated?

19 MR. OSYF: Yes, Your Honor.

20 THE COURT: Thank you.

21 Ms. Kmet, any additions, corrections, or changes to
22 the information contained in the Presentence Report?

23 MS. KMET: No, Your Honor.

24 THE COURT: Have the guidelines been properly
25 calculated?

1 MS. KMET: Yes, Your Honor.

2 THE COURT: There being no outstanding objections
3 from the defendant or the United States, the Court hereby
4 adopts the undisputed factual statements and guidelines
5 calculations as reflected in the Presentence Report.

6 Mr. Jones, if you could please stand, we'll proceed
7 to the articulation of the advisory guidelines range.

8 The Court finds that you have a total offense level
9 of 41, a criminal history category of I, which yields an
10 advisory guidelines range of 324 to 405 months.

11 The Court will also note for the record that the
12 defendant would not be eligible for an additional two-point
13 reduction under the impending amendments because the offense
14 is a sex offense and, thus, would be excluded from
15 eligibility for a reduction.

16 Mr. Jones, you have a right today to present
17 evidence to help the Court determine what sentence is
18 sufficient but not greater than necessary. That's the
19 standard the Court must apply.

20 You may provide the Court with documents, witnesses.
21 You may personally testify if you wish to do so, but if you
22 do so under oath, you're going to be subject to
23 cross-examination by the Assistant United States Attorney.

24 You may also give the Court an unsworn statement.
25 If you choose to give an unsworn statement, you will not be

1 cross-examined if you choose to give such a statement. You
2 also have that third option that I discussed with you
3 earlier, and that's to allow Ms. Kmet to handle all the
4 argument for you and to remain silent.

5 Do you understand all of this?

6 THE DEFENDANT: Yes, Your Honor.

7 THE COURT: Ms. Kmet, are there any live witnesses
8 you will be calling today?

9 MS. KMET: No, Your Honor, but I would ask the Court
10 to recognize his mother at the appropriate time. She's
11 traveled to be here from the state of Texas.

12 THE COURT: Very well.

13 Does Mr. Jones wish to make a sworn statement, an
14 unsworn statement, or any statement?

15 MS. KMET: Your Honor, he has an unsworn statement
16 that he has prepared for the Court.

17 THE COURT: Thank you. You may have a seat.

18 MS. KMET: Thank you, Your Honor.

19 THE COURT: Mr. Osyf, are there any witnesses the
20 government will be calling?

21 MR. OSYF: No, Your Honor.

22 THE COURT: As I mentioned earlier, the Court has
23 received one victim impact statement.

24 Have the victims in this case been given notice of
25 the hearing?

1 MR. OSYF: Yes, they have, Your Honor.

2 THE COURT: Outside of that impact statement, any
3 requests to be heard today?

4 MR. OSYF: No, Your Honor.

5 THE COURT: All right. I will hear from the
6 government as to what the appropriate sentence is in this
7 case.

8 MR. OSYF: Thank you, Your Honor. And if I may,
9 regarding the victim impact statement that Your Honor just
10 mentioned, Anastasia Jones submitted a victim impact
11 statement to the government yesterday. A copy was e-mailed
12 to the Court, Probation, and defense counsel, but Ms. Jones
13 requested that I read it in open court today as well.

14 THE COURT: Very well.

15 MR. OSYF: Victim Impact Statement: United States
16 verse Christopher Jones. Name: Anastasia Jones.

17 The form reads: "Many people are more comfortable
18 writing about their experiences. For the following
19 questions, feel free to attach additional sheets of paper if
20 needed.

21 "Question 1: Mark the words or phrases that best
22 describe your feelings and reactions to this crime. Please
23 remember these are all normal reactions."

24 Under "Feelings," Ms. Jones checked anger, fear,
25 guilt, numbness, anxiety, sad, depression, tense, grief, and

1 confused.

2 Under "Experiences," she checked nightmares,
3 appetite change, fear of being alone, uncontrolled crying,
4 school stress, fear the defendant will return, repeated
5 memory of the crime, no trust in anyone, and family trust.

6 THE COURT: "Stress."

7 MR. OSYF: Sorry, family stress.

8 "Substantial Hardships," she indicated insolvent,
9 unable to pay debts owed, and separation slash divorce.

10 "Question 2: What would you like the Judge to know
11 about you and the impact of this crime?"

12 She handwrote: "I have lost a spouse of 13 years.
13 Defendant used me to keep up the facade of normalcy while
14 creating a family and having kids to cover up his perversions
15 and tastes. He has falsely led me to believe that he loved
16 me, which prompted me to leave my native country and live in
17 this fake marriage for 13 years after I left my family and my
18 entire life in Russia 14 years ago."

19 "Question 3: Please describe below how members of
20 your family have been affected by this crime."

21 She wrote: "The kids lost a father. Our family
22 lost the provider. At least one of our children has been
23 sexually assaulted. Kids have experienced drastic changes in
24 their routine."

25 "Question 4: Have you or members of your family

1 received counseling or therapy?"

2 Ms. Jones indicated: "Yes."

3 "If yes, please be certain to complete the attached
4 financial statement."

5 She wrote: "Everything covered through Medicaid."

6 "Question 5: What would you like to see happen in
7 this case?"

8 Ms. Jones wrote: "For defendant to never see the
9 light of day."

10 There's a Question 6, Your Honor, that asks "Is
11 there anything else you would like the Judge to know before
12 the defendant is sentenced? Additional sheets of paper can
13 be attached if necessary." But Ms. Jones did not respond to
14 that question.

15 THE COURT: Thank you.

16 MR. OSYF: Your Honor, I don't have much to say
17 about this case. The situation is so completely confounding
18 on every possible level that it's difficult to believe.

19 This case is about some of the most heinous conduct
20 civilization has criminalized, evident by the statutory
21 maximum given by Congress of a sentence of life; the knowing
22 persuasion, inducement, enticement, or coercion of a child to
23 engage in prostitution or sexual activity for which a person
24 can be charged with a criminal offense -- how awful and yet,
25 even worse, given the pure betrayal of what ought to be

1 among, if not the most sacred and innocent of relationship
2 bonds.

3 As noted in the United States' position paper on
4 Page 8, making the unimaginable somehow even more
5 mind-numbing is that there is simply no excuse nor even mere
6 semblance of an explanation for the defendant's conduct here.

7 He is smart, educated, capable. He grew up in a
8 loving and supportive environment; is physically healthy; has
9 no history of mental or emotional health issues; and cannot
10 even blame substance abuse problems for his choices. And his
11 choices over the last several years are some of the worst
12 imaginable.

13 Reading his mother's letter to the Court, it doesn't
14 seem possible that such a man could have done what this man
15 before the Court today has done and what he has done for
16 years and with absolute chilling impenitence: instructing
17 Jane Doe 1 to be sure she deletes her texts; smirking at law
18 enforcement after factory-resetting his phone; smiling and
19 shrugging at agents while exclaiming how, well, he's just
20 always been open with his victims.

21 The defendant's sentences -- excuse me, the
22 defendant's sentence is one of those extremely, extremely
23 rare ones, Your Honor, where the focus is not about helping
24 the defendant. Rather, in the absence of any genuine
25 contrition and the likely impossibility of any specific

1 deterrence, let alone any chance of rehabilitation, the
2 purpose of the defendant's sentence is about general
3 deterrence and about protecting children from this
4 remorseless predator for as long as this Honorable Court will
5 do so.

6 The United States asks for a sentence consistent
7 with the high end of the guidelines here, but that should be
8 the lowest the Court should consider.

9 Reading through the PSR last night and again this
10 morning, considering the victims, the utter lack of
11 mitigating factors, and the cavalier attitude of the
12 defendant as he so wickedly deceived everyone, an upward
13 variance would be warranted here and certainly not greater
14 than necessary to achieve the goals of sentencing.

15 Thank you, Your Honor.

16 THE COURT: Thank you, Mr. Osyf.

17 Ms. Kmet?

18 MS. KMET: Yes, Your Honor, thank you.

19 Your Honor, his mother, Deborah Jones, is here, if
20 she may stand to be recognized, Your Honor, please?

21 THE COURT: Absolutely.

22 MS. KMET: Ms. Jones?

23 Thank you.

24 THE COURT: Thank you for being here.

25 MS. KMET: And, Your Honor, as I indicated, she flew

1 in from Texas to be here to show her support for Mr. Jones,
2 and it's quite obvious from her character letter, Your
3 Honor -- I understand she's his mother, of course -- but she
4 gives the Court a little bit more insight as to their
5 relationship and what Mr. Jones has been able to offer to
6 society.

7 I certainly agree that there are aggravating
8 factors, Your Honor, in this case. There's some really bad
9 facts, and we'd embrace those facts, Your Honor. Mr. Jones
10 is before Your Honor having pled guilty, accepting full
11 responsibility, Your Honor.

12 He was willing to plead guilty pre-Indictment, but
13 the investigation was ongoing, and that didn't happen, but
14 after we reviewed the discovery and he was indicted, Your
15 Honor, he did timely notify the government of his intention
16 to plead guilty.

17 Your Honor, I'd ask the Court to take into
18 consideration the collateral consequences associated with his
19 conviction. He will be a federally branded felon. He will
20 have sex offender treatment and requirements to register,
21 obviously, going forward.

22 He does have the support of his mother, despite this
23 federal prosecution, and his mother is well aware of what
24 he's pled guilty to.

25 Your Honor, we would ask the Court to put a

1 recommendation in the judgment order that Mr. Jones serve his
2 sentence at Elkton FCI that's in Lisbon, Ohio. Your Honor,
3 they do have sex offender treatment and programming, and the
4 majority of their offenders are similarly situated as
5 Mr. Jones.

6 We would ask the Court to consider placing in the
7 order the need for medical treatment -- as detailed in the
8 Presentence Investigation Report, Mr. Jones is dealing with
9 myriad medical issues -- Your Honor, obviously the need for
10 mental health evaluations and treatment, sex offender
11 treatment and programming, and any vocational and educational
12 treatment that would be available to him.

13 And, Your Honor, for the remainder of my argument, I
14 would rely on the position paper that I tendered to the
15 Court.

16 THE COURT: Thank you, Ms. Kmet.

17 MS. KMET: Thank you, Your Honor.

18 THE COURT: Mr. Jones, if you could please join
19 Ms. Kmet at the podium.

20 You now have the opportunity to speak before the
21 Court imposes any sentence. As I mentioned to you earlier,
22 you do not have to speak if you do not wish to do so, and I
23 will not hold it against you. If there is anything you want
24 to tell the Court, I will hear from you now.

25 THE DEFENDANT: Thank you, Your Honor.

1 Your Honor, I accept full responsibility for my
2 actions. I am truly sorry for putting the victims through
3 this grueling process and tragedy. Facing the truth is the
4 only way I can begin to move beyond my flaws and start a new
5 path of redemption. Also admitting my guilt is an important
6 step to overcome my flaws.

7 I sat and I listened to all that the prosecution
8 presented, and it's disturbing. I've neglected to be the
9 person I was supposed to be; and that's a protector and a
10 provider for my family.

11 You see, all my life I've tried to be a protector.
12 For almost 20 years, I protected the citizens as a lieutenant
13 in the fire department, and a paramedic. I worked in the
14 emergency room providing lifesaving care for those in need.
15 And even on my off-time, I dedicated my time to cut the grass
16 for the elderly.

17 Everything I've done prior to this incident, I've
18 done for the good of my family and others. However, in the
19 midst of all these things, I traveled down a road of
20 destruction, and that has led me here today in this
21 courtroom.

22 Being in jail has made me realize that I have a
23 problem. I thought I was doing well; never arrested in my
24 life, never had a problem with the law, followed the word of
25 God -- no history of anything prior to this incident. And I

1 made sure everyone was taken care of when I was -- when all
2 this started.

3 Whatever you sentence -- whatever sentence you
4 impose on me today, Your Honor, I plan to take full advantage
5 of every opportunity that is presented before me to help me
6 mentally, emotionally, physically, spiritually, and
7 secularly. I will take advantage of the mental health and
8 the sex offender classes to understand me better. I will
9 take advantage of the vocational courses to allow me to
10 maintain being a working class citizen.

11 And even though I possess a degree, I will expand my
12 knowledge by furthering my education by taking college
13 courses and whatever else is needed to put me at 100 percent.

14 It's said that problems that devastate and corrupt
15 our lives originate in our hearts. I plan to take a closer
16 look at what is truly inside my heart and devise a strategy
17 to fix it with the help provided by, of course, the Bureau of
18 Prisons. Change won't happen overnight, but imagine how
19 different I could be in time. I know, Your Honor, that the
20 law has a job to protect society. I know that I must face
21 the consequences of my actions.

22 Your Honor, I ask that you would consider a sentence
23 that will allow me to get the help I need, become a better
24 person, become a better citizen. I ask that you would
25 consider a sentence that will allow me to rejoin society and

1 to rejoin my family.

2 My goal is to become better in every way possible,
3 never to return to any prison. I thank you for your time and
4 for your consideration.

5 THE COURT: Thank you, Mr. Jones.

6 In imposing a sentence, Congress has instructed the
7 Courts that we have to consider a number of different
8 factors, and in arriving at a sentence that is sufficient but
9 not greater than necessary, I must consider, in addition to
10 the advisory Sentencing Guidelines, the nature and
11 circumstances of your offense, the personal history and
12 characteristics of you, the defendant, the need to avoid
13 unwarranted sentencing disparities, and the types of
14 sentences available.

15 The Court is going to go through and talk to you
16 about its reasoning with respect to each and every one of
17 those factors. Even if I do not address each specific
18 factor, know that the Court has considered all of the factors
19 it must under the law.

20 The Court has also reviewed the Presentence Report
21 and the attached Sentencing Guidelines, which are advisory,
22 meaning they are not binding on this court. The Court has
23 also considered the government's position on sentencing as
24 well as the defendant's position on sentencing, the victim
25 impact statement it received and that Mr. Osyf read to the

1 Court earlier, the letter written in support of you by your
2 mother, as well as the arguments of counsel today.

3 I want to start with the nature and circumstances of
4 this offense, which the PSR describes in great detail.

5 Mr. Jones, let me start as simply as I know how.
6 Your conduct was deviant, abhorrent, and egregious. You said
7 two things that I wrote down when you were talking to the
8 Court.

9 The first thing you said that I wrote down was "All
10 my life I've tried to be a protector." You preyed on the
11 very people who you were supposed to protect.

12 You kept referring to this as an incident.
13 "Incident" is a singular word. This happened multiple times
14 with multiple victims. The incident is how you got caught.
15 That is not the extent of your criminal conduct.

16 So the fact that you referred to it as an incident
17 is troubling to the Court because it suggests to the Court
18 that you don't fully understand the nature and circumstances
19 of the totality of what you have done.

20 You've destroyed your family. You've done
21 potentially irreversible damage to those closest to you. And
22 I say "potentially irreversible" because I hope that the
23 victims in this case can find some healing and peace and to
24 move forward in the best way that they know possible.

25 But your deviant behavior also extended outside of

1 your home because you went online to arrange a meeting with
2 someone you believed to be a 12-year-old girl, to have sex
3 with that young person. The articles that were found in your
4 car -- the Astroglide, the Listerine strips -- make it
5 abundantly clear what your intentions were that night. But
6 for your decision to engage in those communications, the
7 Court is left to wonder how long this would have gone on
8 before you were ultimately caught.

9 What is even worse is your conduct once you were
10 arrested, the conduct that resulted in the
11 obstruction-of-justice enhancement here; smirking when you
12 were asked if you factory-reset your phone, knowing full well
13 that every single thing that you did as relates to this case
14 was wrong, and though you eventually accepted responsibility
15 for your actions, which the Court credits you for and which
16 the government credits you for by moving for acceptance of
17 responsibility, it's clear to the Court that you lied to law
18 enforcement when you were first interviewed about the nature
19 of your relationship with the victims in this case.

20 Sitting here today, perhaps the thing that is most
21 troubling to me is that we will never know the full extent of
22 your deviant behavior, but the Court is confident that the
23 information before it today probably doesn't begin to tell
24 the whole story, the number of underage individuals that you
25 have abused.

1 The nature of the grotesque messages that you
2 exchanged with Jane Doe 1 in this case, again someone whose
3 job it was for you to take care of and protect, were the
4 types of messages that two consenting adults might exchange
5 with one another.

6 At the time you were caught, Jane Doe 1 was 16, but
7 Jane Doe 1 described a longstanding physical sexual
8 relationship with you, one that you allowed to continue with
9 promises of gifts and other enticements. That says nothing
10 of the sexually explicit images of her that were found in
11 this case.

12 And then what you did with the seven-year-old Jane
13 Doe, you admitted to some sexual contact, but, again, the
14 Court is left to wonder if you truly disclosed all of the
15 conduct in light of the facts contained within paragraph 17
16 of the Presentence Report.

17 In all of these interactions, there was only one
18 adult -- you -- one adult who had the ability to stop this
19 from happening, one adult who had the ability to control his
20 desires and urges, one adult who had the responsibility for
21 taking care of people, and you failed in every single way.

22 I sat and I listened to you, and I was hopeful that
23 as you talked that I would get some sense of remorse from
24 you, and while the words that you said seemed like words of
25 someone that would be remorseful, I have to be honest, I'm

1 not buying what you're selling today.

2 Turning to your personal history and
3 characteristics, you are 43 years old; you are currently
4 married; you have six children; you had, by all accounts, a
5 very good childhood, albeit one with a stern disciplinarian
6 as your father.

7 The Court also finds it curious that it appears
8 you've been able to only maintain relationships with women in
9 your life. As the PSR notes, you have strong relationships
10 with your mother and your sister, which are important, but
11 that is contrasted with your strained relationships with your
12 father and your brothers.

13 But in any event, your basic needs as a child were
14 met, and you have no history of abuse, no history of
15 substance abuse, no history of alcohol abuse, and you have
16 zero criminal history.

17 The Court has also reviewed the letter that your
18 mother wrote in support of you. It goes in great detail to
19 try to give the Court the bigger picture of who you are as a
20 person, and no doubt your mother should be commended for
21 doing what a mother should do, even in the most possible
22 scenario; sticking by her son. But, again, the Court wonders
23 if she truly knows the full extent of your criminal conduct
24 in this case and what you've done to the specific victims in
25 this case.

1 The Court notes that your mother describes you as
2 caring and giving, which the Court credits as true, in many
3 other facets of your life, but to analogize this letter in
4 the context of the nature and circumstance of your offense,
5 what your mother described was Dr. Jekyll; the facts of this
6 case paint a picture more like Mr. Hyde.

7 You've also been able to maintain gainful employment
8 your entire life. You are college-educated. You have an
9 associate's degree.

10 You have some health issues, and Ms. Kmet is correct
11 that the Bureau of Prisons should be directed to address
12 those issues, but at the end of the day, you possess the
13 tools to be a productive member of society, and your
14 credentials are not the kind the Court commonly sees, but,
15 frankly, Mr. Jones, that's what makes your crime all the more
16 egregious, because it appears that it was your way of keeping
17 up the facade of who you truly were and going to conceal your
18 behavior from the public and from your family.

19 The Court has also considered the need for the
20 sentence imposed to reflect the seriousness of your offense,
21 to promote respect for the law, to provide just punishment,
22 to deter you and to deter others, to protect the public from
23 future crimes of you, and to provide you with educational and
24 vocational training and medical care and other treatment as
25 necessary.

1 Ms. Kmet has asked the Court to sentence you to 120
2 months, which would be a sentence substantially below the
3 advisory guidelines range. In doing so, she argues about the
4 low likelihood of reoffense because of your lack of criminal
5 history, and in most cases that would be absolutely correct,
6 but not in this case, given the length and relationships of
7 inappropriate nature and the scope of your conduct.

8 Simply put, there is nothing about the facts of this
9 case that suggests a substantial deviation from the advisory
10 Sentencing Guidelines range is warranted. The amount of harm
11 you've caused here is so significant that sentencing you to
12 10 years of imprisonment would not begin to achieve the goals
13 of sentencing that the Court must in deciding a sentence that
14 is sufficient but not greater than necessary.

15 Mr. Jones, pursuant to each of the factors set forth
16 in Title 18, United States Code, Section 3553(a), and the
17 Sentencing Reform Act of 1984, having considered the Federal
18 Sentencing Guidelines as advisory, it's the judgment of this
19 Court that you are hereby committed to the custody of the
20 United States Bureau of Prisons for a term of 405 months.
21 That consists of 405 months on Count One, 240 months on Count
22 Seven, to run concurrently.

23 The Court recommends to the Bureau of Prisons that
24 you receive credit for any time served.

25 The sentence is sufficient but does not exceed the

1 amount of time necessary to achieve the goals of sentencing
2 as set forth in 18 U.S.C. Section 3553. It reflects the
3 seriousness of the offense, promotes respect for the law,
4 provides just punishment for the offense, affords adequate
5 deterrence to criminal conduct, and protects the public from
6 further crimes that you may commit.

7 The Court recommends that you participate in any
8 educational or vocational training offered by the Bureau of
9 Prisons.

10 The Court also recommends that you receive an
11 evaluation for the need for mental health treatment while
12 incarcerated, including a psychosexual evaluation and sex
13 offender treatment.

14 The Court also recommends to the Bureau of Prisons
15 that it take into account your health issues when deciding
16 your designation.

17 Upon your release from incarceration, you shall be
18 placed on a term of supervised release for a term of 30 years
19 on Count One and 30 years on Count Seven, to be served
20 concurrently, for a total supervised release term of 30
21 years.

22 Within 72 hours of your release from custody from
23 the Bureau of Prisons, you shall report to the United States
24 Probation Office in the district in which you are authorized
25 to reside.

1 While on supervised release, you shall comply with
2 all the mandatory terms of supervised release as outlined in
3 18 U.S.C. Section 3583(d) and in the Presentence Report.
4 Namely, you shall not commit another federal, state, or local
5 crime; you shall not possess unlawfully a controlled
6 substance.

7 As reflected in the PSR, you present a low risk of
8 future substance abuse, and therefore, the Court suspends the
9 mandatory condition for substance abuse testing as defined in
10 18 U.S.C. Section 3563(a) (5). However, this does not
11 preclude the Probation Office from administering drug tests
12 as they deem appropriate.

13 While on supervised release, you shall also comply
14 with all of the standard conditions of supervised release
15 that are outlined in your PSR and are hereby adopted by the
16 Court.

17 You shall also comply with all the special
18 conditions of supervised release that are outlined in your
19 Presentence Report and are hereby adopted by this Court.

20 The Court finds all the special conditions of
21 supervised release appropriate in light of the nature and
22 circumstances of your offense, the need for treatment and
23 rehabilitation services to reduce the likelihood of
24 recidivism, and the statutory requirements of the Adam Walsh
25 Child Protection and Safety Act of 2006.

1 The Court has considered your negative net worth and
2 lack of liquid assets, your earning potential, your lifestyle
3 and financial needs, the number of dependents relying upon
4 you for support. Based on those factors, the Court finds
5 that you are not capable of paying a fine, so no fine will be
6 imposed.

7 The Court, consistent with Ms. Kmet's
8 recommendation, will recommend that you serve your sentence
9 in a facility located in Ohio. The Court will not recommend
10 a specific facility, but the Court will request that the
11 Bureau of Prisons designate you to the state of Ohio.

12 The defendant will, however, be responsible for
13 paying a \$100 special assessment for each count of
14 conviction, for a total of \$200.

15 Given the Court's review of your financial
16 information as outlined in the Presentence Report, the Court
17 finds that you are indigent, so no special assessment
18 pursuant to 18 U.S.C. Section 3014 will be imposed.

19 However, after considering the factors outlined in
20 18 U.S.C. Section 3553(a) and 3572, you shall pay a special
21 assessment of \$3,000 pursuant to the Amy, Vicky, and Andy
22 Child Pornography Victim Assistance Act of 2018 as codified
23 at 18 U.S.C. 2259.

24 Mr. Osyf, is there a restitution order in this case?

25 MR. OSYF: There is not, Your Honor.

1 THE COURT: All right. The criminal monetary
2 penalties imposed by the Court shall be due in full
3 immediately. Any balance remaining unpaid on the special
4 assessment at the inception of supervision shall be paid in
5 installments of not less than \$100 per month until paid in
6 full. Those payments shall commence 60 days after
7 defendant's supervision begins.

8 Any fine or special assessment imposed by this
9 judgment may be subject to penalties for default or
10 delinquency.

11 Payment of criminal monetary penalties shall be due
12 during the period of imprisonment. All criminal monetary
13 payments except those payments made through the Bureau of
14 Prisons' Inmate Financial Responsibility Program shall be
15 made to the Clerk, United States District Court for the
16 Eastern District of Virginia.

17 You shall notify the United States Attorney for this
18 district within 30 days of any change of name, residence, or
19 mailing address until all fines, restitution costs, or any
20 special assessments imposed by this judgment are fully paid.

21 Mr. Osyf, is there a Consent Order of Forfeiture?

22 MR. OSYF: There is not, Your Honor. There may be
23 one forthcoming regarding an iPad. If it does, the
24 government will get it to the Court as soon as possible.

25 THE COURT: Mr. Jones, in paragraph 6 of your Plea

1 Agreement, you waived your right to appeal. Nevertheless,
2 you still retain some rights to appeal. The Plea Agreement
3 gives the example of ineffective assistance of counsel. The
4 Court is not suggesting that there is any reason or basis for
5 an appeal. However, pursuant to Rule 32(j) of the Federal
6 Rules of Criminal Procedure, I must advise you of your right
7 to appeal.

8 You must file a written notice of appeal within 14
9 days of the judgment being entered in this case. Should you
10 fail to file an appeal in that way, you could have waived or
11 given up your right to appeal.

12 Do you understand this?

13 THE DEFENDANT: Yes, Your Honor, I do.

14 THE COURT: Also, if you are unable to pay the cost
15 of an appeal, you can petition to have the costs paid by the
16 Court, or if you need to have documents obtained, you can
17 petition to have those costs paid on your behalf.

18 Do you understand that?

19 THE DEFENDANT: Yes, Your Honor.

20 THE COURT: Mr. Osyf, are there any counts that need
21 to be dismissed?

22 MR. OSYF: Yes, Your Honor. The government moves to
23 dismiss those counts now.

24 THE COURT: All remaining counts pending against the
25 defendant are hereby dismissed.

1 Anything further from the government?

2 MR. OSYF: No, Your Honor, thank you.

3 THE COURT: Anything further from the defendant?

4 MS. KMET: No, Your Honor.

5 THE COURT: Mr. Jones, I hope you take this time to
6 reflect on the choices you made, the consequences of those
7 choices for others, and when you do re-enter society, you do
8 what you can to do right by your family. Good luck to you.

9 The Court is adjourned.

10 (Proceedings adjourned at 12:48 p.m.)

11

12 CERTIFICATION

13

14 I certify that the foregoing is a correct transcript
15 from the record of proceedings in the above-entitled matter.

16

17

18 _____/s/_____

19 Carol L. Naughton

20 November 27, 2023

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